



Reprinted
February 6, 2009

HOUSE BILL No. 1125

DIGEST OF HB 1125 (Updated February 5, 2009 3:11 pm - DI 97)

Citations Affected: IC 5-10; IC 20-26.

Synopsis: School corporation health coverage. Requires members of the governing body of a school corporation to pay 100% of the cost of coverage under the school corporation's health plan. Allows a school corporation to provide coverage for employees of the school corporation through a state employee health plan. Specifies requirements related to participation.

Effective: July 1, 2009.

Cherry, Fry, Lehman, Goodin

January 12, 2009, read first time and referred to Committee on Insurance.
February 2, 2009, amended, reported — Do Pass.
February 5, 2009, read second time, amended, ordered engrossed.

C
o
p
y

HB 1125—LS 6763/DI 97+



Reprinted
February 6, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1125

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-10-8-2.2, AS AMENDED BY P.L.3-2008,
2 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 2.2. (a) As used in this section, "dependent"
4 means a natural child, stepchild, or adopted child of a public safety
5 employee who:
6 (1) is less than eighteen (18) years of age;
7 (2) is at least eighteen (18) years of age and has a physical or
8 mental disability (using disability guidelines established by the
9 Social Security Administration); or
10 (3) is at least eighteen (18) and less than twenty-three (23) years
11 of age and is enrolled in and regularly attending a secondary
12 school or is a full-time student at an accredited college or
13 university.
14 (b) As used in this section, "public safety employee" means a
15 full-time firefighter, police officer, county police officer, or sheriff.
16 (c) This section applies only to local unit public employers and their
17 public safety employees.

HB 1125—LS 6763/DI 97+



C
o
p
y

(d) A local unit public employer may provide programs of group health insurance for its active and retired public safety employees through one (1) of the following methods:

- (1) By purchasing policies of group insurance.
- (2) By establishing self-insurance programs.
- (3) By electing to participate in the local unit group of local units that offer the state employee health plan under section 6.6 of this chapter.

(4) If the local unit public employer is a school corporation, by electing to provide the coverage through a state employee health plan under section 6.7 of this chapter.

A local unit public employer may provide programs of group insurance other than group health insurance for the local unit public employer's active and retired public safety employees by purchasing policies of group insurance and by establishing self-insurance programs. However, the establishment of a self-insurance program is subject to the approval of the unit's fiscal body.

(e) A local unit public employer may pay a part of the cost of group insurance for its active and retired public safety employees. However, a local unit public employer that provides group life insurance for its active and retired public safety employees shall pay a part of the cost of that insurance.

(f) A local unit public employer may not cancel an insurance contract under this section during the policy term of the contract.

(g) After June 30, 1989, a local unit public employer that provides a group health insurance program for its active public safety employees shall also provide a group health insurance program to the following persons:

- (1) Retired public safety employees.
- (2) Public safety employees who are receiving disability benefits under IC 36-8-6, IC 36-8-7, IC 36-8-7.5, IC 36-8-8, or IC 36-8-10.
- (3) Surviving spouses and dependents of public safety employees who die while in active service or after retirement.

(h) A public safety employee who is retired or has a disability and is eligible for group health insurance coverage under subsection (g)(1) or (g)(2):

- (1) may elect to have the person's spouse, dependents, or spouse and dependents covered under the group health insurance program at the time the person retires or becomes disabled;
- (2) must file a written request for insurance coverage with the employer within ninety (90) days after the person retires or begins receiving disability benefits; and

C
o
p
y



(3) must pay an amount equal to the total of the employer's and the employee's premiums for the group health insurance for an active public safety employee (however, the employer may elect to pay any part of the person's premiums).

(i) Except as provided in IC 36-8-6-9.7(f), IC 36-8-6-10.1(h), IC 36-8-7-12.3(g), IC 36-8-7-12.4(j), IC 36-8-7.5-13.7(h), IC 36-8-7.5-14.1(i), IC 36-8-8-13.9(d), IC 36-8-8-14.1(h), and IC 36-8-10-16.5 for a surviving spouse or dependent of a public safety employee who dies in the line of duty, a surviving spouse or dependent who is eligible for group health insurance under subsection (g)(3):

(1) may elect to continue coverage under the group health insurance program after the death of the public safety employee;

(2) must file a written request for insurance coverage with the employer within ninety (90) days after the death of the public safety employee; and

(3) must pay the amount that the public safety employee would have been required to pay under this section for coverage selected by the surviving spouse or dependent (however, the employer may elect to pay any part of the surviving spouse's or dependents' premiums).

(j) The eligibility for group health insurance under this section for a public safety employee who is retired or has a disability ends on the earlier of the following:

(1) When the public safety employee becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.

(2) When the employer terminates the health insurance program for active public safety employees.

(k) A surviving spouse's eligibility for group health insurance under this section ends on the earliest of the following:

(1) When the surviving spouse becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.

(2) When the unit providing the insurance terminates the health insurance program for active public safety employees.

(3) The date of the surviving spouse's remarriage.

(4) When health insurance becomes available to the surviving spouse through employment.

(l) A dependent's eligibility for group health insurance under this section ends on the earliest of the following:

(1) When the dependent becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.

(2) When the unit providing the insurance terminates the health insurance program for active public safety employees.

C
o
p
y



(3) When the dependent no longer meets the criteria set forth in subsection (a).

(4) When health insurance becomes available to the dependent through employment.

(m) A public safety employee who is on leave without pay is entitled to participate for ninety (90) days in any group health insurance program maintained by the local unit public employer for active public safety employees if the public safety employee pays an amount equal to the total of the employer's and the employee's premiums for the insurance. However, the employer may pay all or part of the employer's premium for the insurance.

(n) A local unit public employer may provide group health insurance for retired public safety employees or their spouses not covered by subsections (g) through (l) and may provide group health insurance that contains provisions more favorable to retired public safety employees and their spouses than required by subsections (g) through (l). A local unit public employer may provide group health insurance to a public safety employee who is on leave without pay for a longer period than required by subsection (m), and may continue to pay all or a part of the employer's premium for the insurance while the employee is on leave without pay.

SECTION 2. IC 5-10-8-2.6, AS AMENDED BY P.L.1-2005, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2.6. (a) This section applies only to local unit public employers and their employees. This section does not apply to public safety employees, surviving spouses, and dependents covered by section 2.2 of this chapter.

(b) A public employer may provide programs of group insurance for its employees and retired employees. The public employer may, however, exclude part-time employees and persons who provide services to the unit under contract from any group insurance coverage that the public employer provides to the employer's full-time employees. A public employer may provide programs of group health insurance under this section through one (1) of the following methods:

(1) By purchasing policies of group insurance.

(2) By establishing self-insurance programs.

(3) By electing to participate in the local unit group of local units that offer the state employee health plan under section 6.6 of this chapter.

(4) If the local unit public employer is a school corporation, by electing to provide the coverage through a state employee health plan under section 6.7 of this chapter.

C
o
p
y



1 A public employer may provide programs of group insurance other
 2 than group health insurance under this section by purchasing policies
 3 of group insurance and by establishing self-insurance programs.
 4 However, the establishment of a self-insurance program is subject to
 5 the approval of the unit's fiscal body.

6 (c) A public employer may pay a part of the cost of group insurance,
 7 but shall pay a part of the cost of group life insurance for local
 8 employees. A public employer may pay, as supplemental wages, an
 9 amount equal to the deductible portion of group health insurance as
 10 long as payment of the supplemental wages will not result in the
 11 payment of the total cost of the insurance by the public employer.

12 (d) An insurance contract for local employees under this section
 13 may not be canceled by the public employer during the policy term of
 14 the contract.

15 (e) After June 30, 1986, a public employer shall provide a group
 16 health insurance program under subsection (g) to each retired
 17 employee:

18 (1) whose retirement date is:

19 (A) after May 31, 1986, for a retired employee who was a
 20 teacher (as defined in IC 20-18-2-22) for a school corporation;
 21 or

22 (B) after June 30, 1986, for a retired employee not covered by
 23 clause (A);

24 (2) who will have reached fifty-five (55) years of age on or before
 25 the employee's retirement date but who will not be eligible on that
 26 date for Medicare coverage as prescribed by 42 U.S.C. 1395 et
 27 seq.;

28 (3) who will have completed twenty (20) years of creditable
 29 employment with a public employer on or before the employee's
 30 retirement date, ten (10) years of which must have been
 31 completed immediately preceding the retirement date; and

32 (4) who will have completed at least fifteen (15) years of
 33 participation in the retirement plan of which the employee is a
 34 member on or before the employee's retirement date.

35 (f) A group health insurance program required by subsection (e)
 36 must be equal in coverage to that offered active employees and must
 37 permit the retired employee to participate if the retired employee pays
 38 an amount equal to the total of the employer's and the employee's
 39 premiums for the group health insurance for an active employee and if
 40 the employee, within ninety (90) days after the employee's retirement
 41 date, files a written request with the employer for insurance coverage.
 42 However, the employer may elect to pay any part of the retired

C
o
p
y



employee's premiums.

(g) A retired employee's eligibility to continue insurance under subsection (e) ends when the employee becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq., or when the employer terminates the health insurance program. A retired employee who is eligible for insurance coverage under subsection (e) may elect to have the employee's spouse covered under the health insurance program at the time the employee retires. If a retired employee's spouse pays the amount the retired employee would have been required to pay for coverage selected by the spouse, the spouse's subsequent eligibility to continue insurance under this section is not affected by the death of the retired employee. The surviving spouse's eligibility ends on the earliest of the following:

- (1) When the spouse becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.
- (2) When the employer terminates the health insurance program.
- (3) Two (2) years after the date of the employee's death.
- (4) The date of the spouse's remarriage.

(h) This subsection does not apply to an employee who is entitled to group insurance coverage under IC 20-28-10-2(b). An employee who is on leave without pay is entitled to participate for ninety (90) days in any group health insurance program maintained by the public employer for active employees if the employee pays an amount equal to the total of the employer's and the employee's premiums for the insurance. However, the employer may pay all or part of the employer's premium for the insurance.

(i) A public employer may provide group health insurance for retired employees or their spouses not covered by subsections (e) through (g) and may provide group health insurance that contains provisions more favorable to retired employees and their spouses than required by subsections (e) through (g). A public employer may provide group health insurance to an employee who is on leave without pay for a longer period than required by subsection (h), and may continue to pay all or a part of the employer's premium for the insurance while the employee is on leave without pay.

SECTION 3. IC 5-10-8-2.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 2.8. (a) As used in this section, "governing body" has the meaning set forth in IC 20-18-2-5.**

(b) Notwithstanding any other law, a member of the governing body of a school corporation who is covered under a group health insurance program provided by the school corporation shall pay

C
o
p
y



one hundred percent (100%) of the cost of the coverage.

(c) If, on July 1, 2009, a member of the governing body of a school corporation is covered under a group health insurance program provided by the school corporation, subsection (b) applies to the member only after the date on which the group health insurance program is renewed, amended, or reissued.

SECTION 4. IC 5-10-8-6.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6.7. (a) As used in this section, "state employee health plan" means a:

(1) self-insurance program established under section 7(b) of this chapter; or

(2) contract with a prepaid health care delivery plan entered into under section 7(c) of this chapter;

to provide group health coverage for state employees.

(b) The state personnel department shall allow a school corporation to elect to provide coverage of health care services for active and retired employees of the school corporation under a state employee health plan.

(c) The following apply if a school corporation elects to provide coverage for active and retired employees of the school corporation under subsection (b):

(1) The state shall not pay any part of the cost of the coverage.

(2) The coverage provided to an active or retired school corporation employee under this section must be the same as the coverage provided to an active or retired state employee under the state employee health plan.

(3) Notwithstanding sections 2.2 and 2.6 of this chapter:

(A) the school corporation shall pay for the coverage provided to an active or retired school corporation employee under this section an amount equal to the amount paid by the state for coverage provided to an active or retired state employee under the state employee health plan; and

(B) an active or retired school corporation employee shall pay for the coverage provided to the active or retired school corporation employee under this section an amount equal to the amount paid by an active or retired state employee for coverage provided to the active or retired state employee under the state employee health plan.

(4) The school corporation shall pay any administrative costs of the school corporation's participation in the state employee

C
O
P
Y



health plan.

(5) The school corporation shall provide the coverage elected under subsection (b) for at least three (3) years.

(d) The state personnel department shall provide an enrollment period at least every thirty (30) days for a school corporation that elects to provide coverage under subsection (b).

(e) The state personnel department may adopt rules under IC 4-22-2 to implement this section.

(f) Neither this section nor a school corporation's election to participate in a state employee health plan as provided in this section impairs the rights of an exclusive representative of the certificated or noncertificated employees of the school corporation to collectively bargain all matters related to school employee health insurance programs and benefits.

SECTION 5. IC 20-26-5-4, AS AMENDED BY P.L.168-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. In carrying out the school purposes of a school corporation, the governing body acting on the school corporation's behalf has the following specific powers:

(1) In the name of the school corporation, to sue and be sued and to enter into contracts in matters permitted by applicable law.

(2) To take charge of, manage, and conduct the educational affairs of the school corporation and to establish, locate, and provide the necessary schools, school libraries, other libraries where permitted by law, other buildings, facilities, property, and equipment.

(3) To appropriate from the school corporation's general fund an amount, not to exceed the greater of three thousand dollars (\$3,000) per budget year or one dollar (\$1) per pupil, not to exceed twelve thousand five hundred dollars (\$12,500), based on the school corporation's previous year's ADM, to promote the best interests of the school corporation through:

(A) the purchase of meals, decorations, memorabilia, or awards;

(B) provision for expenses incurred in interviewing job applicants; or

(C) developing relations with other governmental units.

(4) To:

(A) Acquire, construct, erect, maintain, hold, and contract for construction, erection, or maintenance of real estate, real estate improvements, or an interest in real estate or real estate improvements, as the governing body considers necessary for

C
o
p
y



school purposes, including buildings, parts of buildings, additions to buildings, rooms, gymnasiums, auditoriums, playgrounds, playing and athletic fields, facilities for physical training, buildings for administrative, office, warehouse, repair activities, or housing school owned buses, landscaping, walks, drives, parking areas, roadways, easements and facilities for power, sewer, water, roadway, access, storm and surface water, drinking water, gas, electricity, other utilities and similar purposes, by purchase, either outright for cash (or under conditional sales or purchase money contracts providing for a retention of a security interest by the seller until payment is made or by notes where the contract, security retention, or note is permitted by applicable law), by exchange, by gift, by devise, by eminent domain, by lease with or without option to purchase, or by lease under IC 20-47-2, IC 20-47-3, or IC 20-47-5.

(B) Repair, remodel, remove, or demolish, or to contract for the repair, remodeling, removal, or demolition of the real estate, real estate improvements, or interest in the real estate or real estate improvements, as the governing body considers necessary for school purposes.

(C) Provide for conservation measures through utility efficiency programs or under a guaranteed savings contract as described in IC 36-1-12.5.

(5) To acquire personal property or an interest in personal property as the governing body considers necessary for school purposes, including buses, motor vehicles, equipment, apparatus, appliances, books, furniture, and supplies, either by cash purchase or under conditional sales or purchase money contracts providing for a security interest by the seller until payment is made or by notes where the contract, security, retention, or note is permitted by applicable law, by gift, by devise, by loan, or by lease with or without option to purchase and to repair, remodel, remove, relocate, and demolish the personal property. All purchases and contracts specified under the powers authorized under subdivision (4) and this subdivision are subject solely to applicable law relating to purchases and contracting by municipal corporations in general and to the supervisory control of state agencies as provided in section 6 of this chapter.

(6) To sell or exchange real or personal property or interest in real or personal property that, in the opinion of the governing body, is not necessary for school purposes, in accordance with IC 20-26-7,

C
O
P
Y



to demolish or otherwise dispose of the property if, in the opinion of the governing body, the property is not necessary for school purposes and is worthless, and to pay the expenses for the demolition or disposition.

(7) To lease any school property for a rental that the governing body considers reasonable or to permit the free use of school property for:

(A) civic or public purposes; or

(B) the operation of a school age child care program for children who are at least five (5) years of age and less than fifteen (15) years of age that operates before or after the school day, or both, and during periods when school is not in session; if the property is not needed for school purposes. Under this subdivision, the governing body may enter into a long term lease with a nonprofit corporation, community service organization, or other governmental entity, if the corporation, organization, or other governmental entity will use the property to be leased for civic or public purposes or for a school age child care program. However, if payment for the property subject to a long term lease is made from money in the school corporation's debt service fund, all proceeds from the long term lease must be deposited in the school corporation's debt service fund so long as payment for the property has not been made. The governing body may, at the governing body's option, use the procedure specified in IC 36-1-11-10 in leasing property under this subdivision.

(8) To:

(A) Employ, contract for, and discharge superintendents, supervisors, principals, teachers, librarians, athletic coaches (whether or not they are otherwise employed by the school corporation and whether or not they are licensed under IC 20-28-5), business managers, superintendents of buildings and grounds, janitors, engineers, architects, physicians, dentists, nurses, accountants, teacher aides performing noninstructional duties, educational and other professional consultants, data processing and computer service for school purposes, including the making of schedules, the keeping and analyzing of grades and other student data, the keeping and preparing of warrants, payroll, and similar data where approved by the state board of accounts as provided below, and other personnel or services as the governing body considers necessary for school purposes.

(B) Fix and pay the salaries and compensation of persons and

**C
O
P
Y**



- 1 services described in this subdivision.
- 2 (C) Classify persons or services described in this subdivision
- 3 and to adopt schedules of salaries or compensation.
- 4 (D) Determine the number of the persons or the amount of the
- 5 services employed or contracted for as provided in this
- 6 subdivision.
- 7 (E) Determine the nature and extent of the duties of the
- 8 persons described in this subdivision.
- 9 The compensation, terms of employment, and discharge of
- 10 teachers are, however, subject to and governed by the laws
- 11 relating to employment, contracting, compensation, and discharge
- 12 of teachers. The compensation, terms of employment, and
- 13 discharge of bus drivers are subject to and governed by laws
- 14 relating to employment, contracting, compensation, and discharge
- 15 of bus drivers. The forms and procedures relating to the use of
- 16 computer and data processing equipment in handling the financial
- 17 affairs of the school corporation must be submitted to the state
- 18 board of accounts for approval so that the services are used by the
- 19 school corporation when the governing body determines that it is
- 20 in the best interest of the school corporation while at the same
- 21 time providing reasonable accountability for the funds expended.
- 22 (9) Notwithstanding the appropriation limitation in subdivision
- 23 (3), when the governing body by resolution considers a trip by an
- 24 employee of the school corporation or by a member of the
- 25 governing body to be in the interest of the school corporation,
- 26 including attending meetings, conferences, or examining
- 27 equipment, buildings, and installation in other areas, to permit the
- 28 employee to be absent in connection with the trip without any loss
- 29 in pay and to reimburse the employee or the member the
- 30 employee's or member's reasonable lodging and meal expenses
- 31 and necessary transportation expenses. To pay teaching personnel
- 32 for time spent in sponsoring and working with school related trips
- 33 or activities.
- 34 (10) To transport children to and from school, when in the
- 35 opinion of the governing body the transportation is necessary,
- 36 including considerations for the safety of the children and without
- 37 regard to the distance the children live from the school. The
- 38 transportation must be otherwise in accordance with applicable
- 39 law.
- 40 (11) To provide a lunch program for a part or all of the students
- 41 attending the schools of the school corporation, including the
- 42 establishment of kitchens, kitchen facilities, kitchen equipment,

C
o
p
y



lunch rooms, the hiring of the necessary personnel to operate the lunch program, and the purchase of material and supplies for the lunch program, charging students for the operational costs of the lunch program, fixing the price per meal or per food item. To operate the lunch program as an extracurricular activity, subject to the supervision of the governing body. To participate in a surplus commodity or lunch aid program.

(12) To purchase textbooks, to furnish textbooks without cost or to rent textbooks to students, to participate in a textbook aid program, all in accordance with applicable law.

(13) To accept students transferred from other school corporations and to transfer students to other school corporations in accordance with applicable law.

(14) To make budgets, to appropriate funds, and to disburse the money of the school corporation in accordance with applicable law. To borrow money against current tax collections and otherwise to borrow money, in accordance with IC 20-48-1.

(15) To purchase insurance or to establish and maintain a program of self-insurance relating to the liability of the school corporation or the school corporation's employees in connection with motor vehicles or property and for additional coverage to the extent permitted and in accordance with IC 34-13-3-20. To purchase additional insurance or to establish and maintain a program of self-insurance protecting the school corporation and members of the governing body, employees, contractors, or agents of the school corporation from liability, risk, accident, or loss related to school property, school contract, school or school related activity, including the purchase of insurance or the establishment and maintenance of a self-insurance program protecting persons described in this subdivision against false imprisonment, false arrest, libel, or slander for acts committed in the course of the persons' employment, protecting the school corporation for fire and extended coverage and other casualty risks to the extent of replacement cost, loss of use, and other insurable risks relating to property owned, leased, or held by the school corporation. To:

(A) participate in a state employee health plan under IC 5-10-8-6.6 or **IC 5-10-8-6.7**;

(B) purchase insurance; or

(C) establish and maintain a program of self-insurance;

to benefit school corporation employees, including accident, sickness, health, or dental coverage, provided that a plan of

**C
o
p
y**



self-insurance must include an aggregate stop-loss provision.

(16) To make all applications, to enter into all contracts, and to sign all documents necessary for the receipt of aid, money, or property from the state, the federal government, or from any other source.

(17) To defend a member of the governing body or any employee of the school corporation in any suit arising out of the performance of the member's or employee's duties for or employment with, the school corporation, if the governing body by resolution determined that the action was taken in good faith.

To save any member or employee harmless from any liability, cost, or damage in connection with the performance, including the payment of legal fees, except where the liability, cost, or damage is predicated on or arises out of the bad faith of the member or employee, or is a claim or judgment based on the member's or employee's malfeasance in office or employment.

(18) To prepare, make, enforce, amend, or repeal rules, regulations, and procedures:

(A) for the government and management of the schools, property, facilities, and activities of the school corporation, the school corporation's agents, employees, and pupils and for the operation of the governing body; and

(B) that may be designated by an appropriate title such as "policy handbook", "bylaws", or "rules and regulations".

(19) To ratify and approve any action taken by a member of the governing body, an officer of the governing body, or an employee of the school corporation after the action is taken, if the action could have been approved in advance, and in connection with the action to pay the expense or compensation permitted under IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 or any other law.

(20) To exercise any other power and make any expenditure in carrying out the governing body's general powers and purposes provided in this chapter or in carrying out the powers delineated in this section which is reasonable from a business or educational standpoint in carrying out school purposes of the school corporation, including the acquisition of property or the employment or contracting for services, even though the power or expenditure is not specifically set out in this chapter. The specific powers set out in this section do not limit the general grant of powers provided in this chapter except where a limitation is set out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12,

**C
o
p
y**



1 and IC 20-48-1 by specific language or by reference to other law.

**c
o
p
y**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred House Bill 1125, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, line 41, delete "to provide group health coverage;" and insert ";".

Page 6, line 42, after "plan" insert "**entered into**".

Page 7, line 1, delete "." and insert ";

to provide group health coverage for state employees."

Page 7, line 10, after "The" insert "**coverage provided to an active or retired**".

Page 7, line 10, delete "shall provide for payment of the" and insert "**employee under this section must be the same as the coverage provided to an active or retired state employee under the state employee health plan.**".

Page 7, line 11, delete "cost of the coverage as provided in" and insert:

"(3) Notwithstanding".

Page 7, line 12, delete "chapter. However, an active or a retired school corporation" and insert "**chapter:**

(A) the school corporation shall pay for the coverage provided to an active or retired school corporation employee under this section an amount equal to the amount paid by the state for coverage provided to an active or retired state employee under the state employee health plan; and

(B) an active or retired school corporation employee shall pay for the coverage provided to the active or retired school corporation employee under this section an amount equal to the amount paid by an active or retired state employee for coverage provided to the active or retired state employee under the state employee health plan.

(4) The school corporation shall pay any administrative costs of the school corporation's participation in the state employee health plan.

(5) The school corporation shall provide the coverage elected under subsection (b) for at least five (5) years."

Page 7, delete lines 13 through 15.

Page 7, between lines 20 and 21, begin a new paragraph and insert:

"(f) Neither this section nor a school corporation's election to participate in a state employee health plan as provided in this

C
o
p
y



section impairs the rights of an exclusive representative of the certificated or noncertificated employees of the school corporation to collectively bargain all matters related to school employee health insurance programs and benefits."

and when so amended that said bill do pass.

(Reference is to HB 1125 as introduced.)

FRY, Chair

Committee Vote: yeas 10, nays 0.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1125 be amended to read as follows:

Page 6, between lines 35 and 36, begin a new paragraph and insert:
"SECTION 3. IC 5-10-8-2.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2.8. (a) As used in this section, "governing body" has the meaning set forth in IC 20-18-2-5.

(b) Notwithstanding any other law, a member of the governing body of a school corporation who is covered under a group health insurance program provided by the school corporation shall pay one hundred percent (100%) of the cost of the coverage.

(c) If, on July 1, 2009, a member of the governing body of a school corporation is covered under a group health insurance program provided by the school corporation, subsection (b) applies to the member only after the date on which the group health insurance program is renewed, amended, or reissued."

Page 7, line 32, delete "five (5)" and insert **"three (3)"**.

Renumber all SECTIONS consecutively.

(Reference is to HB 1125 as printed February 3, 2009.)

LEHMAN

C
o
p
y

